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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,331	08/14/2001	Yu-Sam Chang	P/ 3491-56	8693
2352	7590	02/25/2005	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			LEE, CHEUKFAN	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/929,331	CHANG ET AL.	
	Examiner	Art Unit	
	Cheukfan Lee	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 1-15 are pending. Claims 1, 6 and 11 are independent.

2. The drawings are objected to because of the following:

Fig. 1 should be labeled with – PROR ART --. Please see page 2, line 12 of the specification.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sung (U.S. Patent No. 6,587,231) in view of Matsumoto (U.S. Patent No. 6,147,339).

Regarding claims 1, 6 and 11, Sung discloses a scanning apparatus having a transparent housing. The transparent housing (1), which is integrally made of high-strength and transparent material and is of hollow box shape and has an upper transparent window (2) and a lower transparent window (3) with border marked on the top surface (10) and bottom surface (11) thereof (Fig. 1, col. 2, lines 35-42). This means that not only the window (3) is transparent, but also the top surface is transparent.

The upper transparent window (2) reads on the claimed document-loading panel.

Sung does not specify that the transparent material used to make the transparent housing is acrylic.

Matsumoto discloses an image sensor module comprising a scanning window (18) and a part (18b) of the frame, the scanning window (18) and frame part (18b) being integrally formed of molding transparent material, acrylic (Fig. 1, col. 3, lines 62-66).

Matsumoto teaches forming a scanning window and part of the frame by integral molding transparent acrylic material.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ transparent acrylic as the transparent material for forming the transparent housing of Sung, including the scanning window (2), as taught by Matsumoto, because acrylic is of high-strength and transparent material required by Sung (col. 2, lines 36-37).

5. Claims 2, 7, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sung (U.S. Patent No. 6,587,231) in view of Matsumoto (U.S. Patent No. 6,147,339) as applied to claims 1, 6 and 11 above, and further in view of Hu et al. (U.S. Patent No. 6,271,939).

Regarding claims 2, 7 and 12, the obvious scanner of Sung in view of Matsumoto discussed for claims 1, 6 and 11 above does not have a chart printed on the document loading panel (scanning window) directly. However, such feature is not novel and is taught by Hu et al. in which a scale or a grid (chart) is printed on a transparent window of a scanner (col. 5, lines 15-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to print a chart on the transparent window of Sung in view of Matsumoto, as taught by Hu et al. to assist the user of the scanner. Sung further discloses a scanner cover (7 in Figs. 5 and 6, col. 3, lines 52-55).

6. Claims 3, 5, 8, 10, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sung (U.S. Patent No. 6,587,231) in view of Matsumoto (U.S. Patent No. 6,147,339) as applied to claims 1, 6 and 11 above, and further in view of Motamed (U.S. Patent No. 6,327,047).

Regarding claims 3, 8 and 13, and claims 5, 10 and 15, the obvious scanner of Sung in view of Matsumoto discussed for claims 1, 6 and 11 above does not have a chart attached on the transparent, document loading panel or window directly, or attached on a document cover of the scanner. However, such feature is not novel and is taught by Motamed, in which a chart (calibration target 200) is attached (adhered) to a surface of the transparent window (210) for placing a document to be scanned (Fig. 2A, col. 5, lines 13-25), or attached to the inside of the scanner cover (Fig. 2B, col. 5, lines 26-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to attach a chart on a transparent, document loading panel, or attach a chart on the inside of a scanner cover, as taught by Motamed, in order to either assist the user or to provide a target for the scanner calibration. Sung further discloses a scanner cover (7 in Figs. 5 and 6, col. 3, lines 52-55).

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7. Claims 4, 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sung (U.S. Patent No. 6,587,231) in view of Matsumoto (U.S. Patent No. 6,147,339) as applied to claims 1, 6 and 11 above, and further in view of Pan (U.S. Patent No. 6,008,501) and well known art.

Regarding claim 4, 9 and 14, the obvious scanner of Sung in view of Matsumoto discussed for claims 1, 6 and 11 does not have a chart printed on the (inherent) document cover of the of the scanner directly. Please see also scanner cover (7 in Figs. 5 and 6) of Sung.

Pan teaches a flat bed scanner having a document cover, the inside surface of which is provided a specific pattern (stripes), which reads on a chart. The pattern on the cover is for assisting detection of the presence of a document placed on the transparent scanning window (col. 4, lines 11-20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a pattern on the inside of the document cover of Sung in view of Matsumoto to assist detection of the presence of a document placed on the transmission window or loading panel, as taught by Pan, in order to prevent wasting the user's time (Pan, col. 4, lines 24-27).

Pan does not disclose printing the pattern on the document cover directly (Fig. 5). However, the examiner took Official Notice of the fact that printing directly a pattern on a surface of a scanner part is a common method and means for providing a pattern or chart on the surface. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to print directly the pattern or chart of Sung in

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view of Matsumoto and Pan on the inside of the document cover in order to reduce the total number of parts or components of the scanner.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tsanghuai (U.S. Patent No. 6,639,694) discloses a document image scanner having a transparent acrylic scanning window (12 in Fig. 1).

Peng (U.S. Patent No. 6,108,108) discloses a flat bed scanner having a transparent acrylic bottom plate (17).

Huang (U.S. Patent No. 6,326,607) discloses a flat bed scanner having a transparent acrylic scanning window (40).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (703) 305-4867. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
February 5, 2005



Cheukfan Lee